

270 CMR: BOARD OF REGISTRATION OF GENETIC COUNSELORS

270 CMR 2.00: PURPOSE, AUTHORITY, DEFINITIONS, AND SEVERABILITY

Section

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2.01: Purpose

270 CMR 2.00 *et seq.* governs the licensure and practice of licensed genetic counselors in Massachusetts by establishing the eligibility requirements and administrative procedures for the issuance of provisional and full licenses to qualified applicants and the extension or renewal of such licenses, and by establishing the standards of professional practice and conduct for all genetic counselors licensed by the Board of Registration of Genetic Counselors.

2.02: Authority

The Board of Registration of Genetic Counsel adopts 270 CMR 2.00 *et seq.* under authority of M.G.L. c. 13, §§ 98 through 100, M.G.L. c. 112, §§ 227 through 233, and pursuant to M.G.L. c. 30A, § 3.

2.03: Definitions

The following terms as used in 270 CMR 2.00 *et seq.* shall have the following meanings:

ABGC means the American Board of Genetic Counseling or its equivalent successor agency.

ABGC Certification Examination means the certification examination for genetic counselors of the American Board of Genetic Counseling.

ABMG means the American Board of Medical Genetics or its equivalent successor agency.

ABMG Certification Examination means the certification examination for M.D. clinical geneticists, genetic counselors, and Ph.D. medical geneticists of the American Board of Medical Genetics.

Application means the application form for a provisional license as a genetic counselor, for a full license as a genetic counselor, for renewal of a full license pursuant to 270 CMR 3.06, or for reinstatement of a license pursuant to 270 CMR 4.05 provided by the Board and all required documentation accompanying such application form.

Board means the Board of Registration of Genetic Counselors established within the Division of Health Professions Licensure, Department of Public Health, pursuant to M.G.L. c. 13, §§ 98 through 100, or its designee.

Certificate of Completion of Continuing Education means the document issued by a provider of Board-approved post-licensure continuing education programs and activities verifying that a fully licensed genetic counselor has completed a specified number of contact hours of continuing education on a specified topic.

Certification means the voluntary process by which a non-governmental agency grants recognition and use of a credential to individuals who have met predetermined and standardized criteria. Certifying agencies may require individuals to be periodically recertified.

Certification Examination means the certification examination for genetic counselors of the ABGC, the ABMG, or other certification examination for genetic counselors that meets the standards established by the ABGC or the ABMG, unless otherwise stated.

2.02: continued

Certifying Agency means the ABGC, the ABMG, or other non-governmental genetic counselor certifying agency that meets the standards established by the ABGC or the ABMG, unless otherwise stated.

CMR means the Code of Massachusetts Regulations published by the Regulations Division of the Massachusetts Office of the Secretary of the Commonwealth.

Competency means the knowledge, skills, and abilities required for the role of a licensed genetic counselor and his or her delivery of genetic counseling services in accordance with accepted standards of practice.

Complaint means a communication filed with the Board that reasonably alleges that a provisional or full licensee has violated a law or regulation related to practice as a licensed genetic counselor, or a rule or written policy formally adopted by the Board.

Continuing Education Unit (CEU) means the credit awarded for attendance at Board-approved post-licensure educational programs and activities relevant to practice as a licensed genetic counselor. The Board accepts the following equivalencies: one contact hour = 0.1 CEU; ten contact hours = one CEU.

Fully Licensed Genetic Counselor or Full Licensee means a person licensed by the Board to engage in practice as a genetic counselor pursuant to M.G.L. c. 13, § 100, having met and maintained the qualifications for licensure under M.G.L. c. 112, §§ 228, 229, and 231.

General Supervision means the supervision provided by a fully licensed genetic counselor, or a licensed physician with current ABMG certification in clinical genetics, who has the overall responsibility to assess the work of the supervisee, whether a provisional or full licensee. General supervision shall not require the physical presence of the provisional or full licensee's supervisor where such licensee provides genetic counseling services; however, the supervisor shall be readily accessible for consultation and assistance whenever such licensee provides such services.

License means a license to practice as a provisionally licensed genetic counselor or as a fully licensed genetic counselor, and any right to extend a provisional license or to renew a full license.

License Reinstatement means the restoration by the Board of the right to practice as a licensed genetic counselor following license suspension, license surrender, or license revocation.

Licensee means a genetic counselor licensed by the Board.

Licensed Physician means a person holding a full and unrestricted medical license issued by the Massachusetts Board of Registration in Medicine pursuant to M.G.L. c. 112, § 2 *et seq.*

M.G.L. means Massachusetts General Laws.

Person means an individual and does not mean an association of individuals or a legal entity.

Practice of Genetic Counseling means a communication process conducted by one or more appropriately trained individuals that may include:

- (a) estimating the likelihood of occurrence or recurrence of a birth defect or of any potentially inherited or genetically influenced condition. This assessment may involve:
 - 1. obtaining and analyzing a complete health history of the person and family;
 - 2. reviewing pertinent medical records;
 - 3. evaluating the risks from exposure to possible mutagens or teratogens; and
 - 4. recommending genetic testing or other evaluations to diagnose a condition or determine the carrier status of one or more family members;

2.02: continued

- (b) helping the individual, family, health care provider, or public to:
 - 1. appreciate the medical, psychological, and social implications of a disorder, including its features, variability, usual course, and management options;
 - 2. learn how genetic factors contribute to the disorder and affect the chance for recurrence of the condition in other family members;
 - 3. understand available options for coping with, preventing, or reducing the chance of occurrence or recurrence of a condition;
 - 4. select the most appropriate, accurate, and cost-effective methods of diagnosis; and
 - 5. understand genetic or prenatal tests, coordinate testing for inherited disorders, and interpret complex genetic test results;
- (c) facilitating an individual's or family's:
 - 1. exploration of the perception of risk and burden associated with the disorder;
 - 2. decision-making regarding testing or medical interventions consistent with their beliefs, goals, needs, resources, culture, and ethical or moral views; and
 - 3. adjustment and adaptation to the condition or their genetic risk by addressing needs for psychological, social, and medical support.

Provisional License means a license or other document issued by the Board authorizing its holder to engage in supervised practice as a provisional licensee.

Provisionally Licensed Genetic Counselor or Provisional Licensee means a person licensed by the Board to engage in supervised practice as a provisionally licensed genetic counselor pursuant to M.G.L. c. 13, § 100, having met and maintained the qualifications for provisional licensure under M.G.L. c. 112, §§ 228, 229, and 230.

Supervisor means a Massachusetts fully licensed genetic counselor, or a Massachusetts licensed physician with current ABMG certification in clinical genetics, who has the overall responsibility to assess the work of the supervisee, whether a provisional or full licensee. The supervisor of a provisional or full licensee shall not be required to be physically present where such licensee provides genetic counseling services; however, the supervisor shall be readily accessible for consultation and assistance whenever such licensee provides such services.

2.04: Severability

If any provision of 270 CMR 2.00 *et seq.*, or the application of any such provision to any person or circumstances, is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of 270 CMR 2.00 *et seq.* that can be given effect without the invalid provision or application. To this end, the provisions of 270 CMR 2.00 *et seq.* are declared to be severable.

REGULATORY AUTHORITY

270 CMR 2.00: M.G.L. c. 13, §§ 98 through 100; c. 112, §§ 227 through 233; and c. 30A, § 3.

NON-TEXT PAGE